

REMARKS/ARGUMENTS

Claims 1-34 are currently pending in the present application. Claim 1 has been amended.

Claims 35-48 have been withdrawn from consideration as being drawn to non-elected inventions.

Applicant submits that no prohibited new matter has been introduced by the amendments.

Written description support for the amended claims can be found throughout the specification.

For example, see pages 8-9 and Fig. 1A-1C.

The following issues are outstanding in the present application:

-- Claims 1-34 and 49 were rejected under U.S.C. § 102(b) in view of Martin (U.S. Patent No. 5,653,743).

Applicant respectfully traverses all of the rejections and requests reconsideration and withdrawal of the Examiner's outstanding rejection in light of the amendments and remarks contain herein.

INTERVIEW SUMMARY

Applicant thanks the Examiner for the courtesy of an interview extended to applicant's representative on July 20, 2004. During the interview, the differences between the present invention and the cited reference (U.S. Patent No. 5,653,743) were discussed.

REJECTIONS UNDER 35 U.S.C. § 102

Claims 1-34 and 49 were rejected under 35 U.S.C. § 102(b) as purportedly anticipated by Martin (U.S. Patent No. 5,653,743). Applicant respectfully traverses this rejection.

A rejection under 35 U.S.C. § 102(b) is only appropriate where each and every feature set forth in the rejected claims is present in the cited reference. As amended, claim 1 is directed toward "a main covered stent having a main stent covered by a graft and defining an opening, and having a leading end, and a trailing end wherein the main covered stent tapers in cross-

sectional diameter toward the trailing end”. Martin ‘743 does not disclose a sent wherein the main covered stent tapers in cross-sectional diameter toward the trailing end.

Claims 2-34 depend directly or indirectly from claim 1 and, as such, include all of the limitations thereof. Thus, claims 1-34 are not anticipated by Martin ‘743 and withdrawal of the rejection under 35 U.S.C. § 102(b) is respectfully requested.

Claim 49 is directed toward “a main covered stent having a main stent covered by a graft and defining an opening, and having a leading end and a trailing end, wherein said main covered stent tapers in cross sectional area toward said leading end and toward said trailing end”. Martin ‘743 does not disclose a sent wherein said main covered stent tapers in cross sectional area toward said leading end and toward said trailing end. Thus, claim 49 is not anticipated by Martin ‘743 and withdrawal of the rejection under 35 U.S.C. § 102(b) is respectfully requested.

CONCLUSION

This application is in condition for allowance, and early notice to that effect is earnestly solicited. Should the examiner have any questions, comments or suggestions in furtherance of the prosecution of this application, she is invited to contact applicant's representative by telephone at the number indicated below.

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Respectfully submitted,



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